



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Charles E. Taylor and Jim L. Lee

SC/Serial No.: 10/074,082

Confirm. No.: 8109

Filed: February 12, 2002

Title: ELECTRO-KINETIC AIR TRANSPORTER-
CONDITIONER DEVICES WITH AN UPSTREAM
FOCUS ELECTRODE

PATENT APPLICATION

Art Unit: 1741

Examiner: Unknown

Customer No. 23910

SUPPLEMENTAL DECLARATION FOR C-I-P PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below), original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention of the **present application**:

Title of invention and of **present application**:

ELECTRO-KINETIC AIR TRANSPORTER-CONDITIONER DEVICES WITH AN UPSTREAM
FOCUS ELECTRODE

The specification of the **present application** (check applicable ones):

_____ is filed herewith;

☒ was filed with the above-identified "Filed" date and "SC/Serial No."

☒ was amended on June 6, 2002.

I have reviewed and understand the contents of the above-identified specification for the **present application**, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of the **present application** in accordance with Title 37, Code of Federal Regulations, §1.56.

This **present application** in part discloses and claims subject matter disclosed in, and I hereby claim the benefit under Title 35, United States Code §120 of any United States **prior application(s)** listed below:

(1) <u>09/924,624</u> (SC/Serial No.)	<u>August 8, 2001</u> (Filing Date)	<u>Pending</u> (Status-pending, patented, abandoned)
(2) <u>09/564,960</u> (SC/Serial No.)	<u>May 4, 2000</u> (Filing Date)	<u>Patented - Now U.S. Pat. No. 6,350,417</u> (Status-pending, patented, abandoned)
(3) <u>09/730,499</u> (SC/Serial No.)	<u>December 5, 2000</u> (Filing Date)	<u>Pending</u> (Status-pending, patented, abandoned)
(4) <u>09/186,471</u> (SC/Serial No.)	<u>November 5, 1998</u> (Filing Date)	<u>Patented - Now U.S. Pat. No. 6,176,977</u> (Status-pending, patented, abandoned)

This **present application** in part discloses and claims subject matter disclosed in, and I hereby claim priority benefits under 35 U.S.C. §119(e) of an United States provisional application(s):

(1) <u>60/341,518</u> (SC/Serial No.)	<u>December 13, 2001</u> (Filing Date)	<u>Pending</u> (Status-pending, patented, abandoned)
(2) <u>60/306,479</u> (SC/Serial No.)	<u>July 18, 2001</u> (Filing Date)	<u>Pending</u> (Status-pending, patented, abandoned)

Insofar as the subject matter of each of the claims of the **present application** is not disclosed in the United States **prior application(s)** in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations §1.56 which occurred between the filing date(s) of the **prior application(s)** and the national or PCT international filing date of this **present application**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the **present application** or any patent issuing thereon.

(1) Full name of sole
or first inventor: Charles E. Taylor

(1) Residence: 446 West Street
Sebastopol, California 95472

(1) Mailing Address: 650 Davis Street
San Francisco, California 94111

(1) Citizenship: U.S.A.

(1) Inventor's signature: Charles E. Taylor

(1) Date: 8/15/2002

(2) Full name of second
joint inventor: Jim L. Lee

(2) Residence: 140 Walnut Circle
Rohnert Park, California 94928

(2) Mailing Address: 650 Davis Street
San Francisco, California 94111

(2) Citizenship: U.S.A.

(2) Inventor's signature: Jim L. Lee

(2) Date: 08-05-02

Title 35, United States Code §120

SECTION 120. BENEFIT OF EARLIER FILING DATE IN THE UNITED STATES

An application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

Title 35, United States Code, §112 (first paragraph)

SECTION 112. SPECIFICATION

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Title 37, Code of Federal Regulations, §1.56

SECTION 1.56. DUTY TO DISCLOSE INFORMATION MATERIAL TO PATENTABILITY

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office; or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

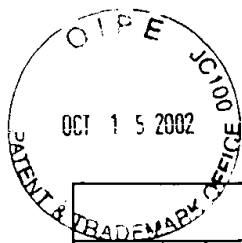
(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.

U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	23.	4,694,376	Sep. 15, 1987	Gesslauer	361	235	Sep. 26, 1985
	24.	4,713,093	Dec. 15, 1987	Hansson	55	139	Jul. 8, 1986
	25.	4,779,182	Oct. 18, 1988	Mickal et al.	363	37	Jun. 24, 1986
	26.	4,808,200	Feb. 28, 1989	Dallhammer et al.	55	105	Nov. 12, 1987
	27.	4,940,470	Jul. 10, 1990	Jaisinghani et al.	55	2	Mar. 23, 1988
	28.	5,010,869	Apr. 30, 1991	Lee	123	539	Aug. 11, 1989
	29.	5,196,171	Mar. 23, 1993	Peltier	422	121	Mar. 11, 1991
	30.	5,217,504	Jun. 8, 1993	Johansson	55	2	Mar. 20, 1990
	31.	5,302,190	Apr. 12, 1994	Williams	95	57	Jun. 8, 1992
	32.	5,315,838	May 31, 1994	Thompson	62	129	Aug. 16, 1993
	33.	5,378,978	Jan. 3, 1995	Gallo et al.	323	241	Apr. 2, 1993
	34.	5,484,472 C1	Feb. 20, 2001	Weinberg	96	26	Feb. 6, 1995
	35.	5,578,112	Nov. 26, 1996	Krause	96	24	Jun. 1, 1995
	36.	5,667,564	Sep. 16, 1997	Weinberg	96	58	Aug. 14, 1996
	37.	5,814,135	Sep. 29, 1998	Weinberg	96	58	Sep. 15, 1997
	38.	5,879,435	Mar. 9, 1999	Satyapal et al.	96	16	Jan. 6, 1997
	39.	5,893,977	Apr. 13, 1999	Pucci	210	739	May 12, 1997
	40.	5,972,076	Oct. 26, 1999	Nichols et al.	95	81	Sep. 28, 1998
	41.	6,019,815	Feb. 1, 2000	Satyapal et al.	95	74	Sep. 11, 1998
	42.	6,042,637	Mar. 28, 2000	Weinberg	96	58	Sep. 28, 1998
	43.	6,063,168	May 16, 2000	Nichols et al.	96	80	Aug. 11, 1997
	44.	6,086,657	Jul. 11, 2000	Freije	95	2	Feb. 16, 1999
	45.	6,149,717	Nov. 21, 2000	Satyapal et al.	96	16	Dec. 22, 1998
	46.	6,149,815	Nov. 21, 2000	Sauter	210	635	Nov. 23, 1999
	47.	6,182,461 B1	Feb. 6, 2001	Washburn et al.	62	264	Jul. 16, 1999
	48.	6,193,852 B1	Feb. 27, 2001	Caracciolo et al.	204	176	May 28, 1997
	49.	6,212,883 B1	Apr. 10, 2001	Kang	60	275	Mar. 3, 2000
	50.	6,252,012 B1	Jun. 26, 2001	Egitto et al.	525	431	Aug. 30, 1999

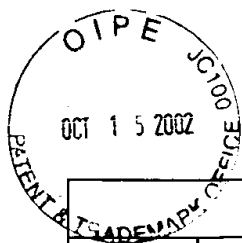


U.S. PATENTS

Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	51.	6,270,733 B1	Aug. 7, 2001	Rodden	422	186.07	Feb. 17, 2000
	52.	6,277,248 B1	Aug. 21, 2001	Ishioka et al.	204	176	Jan. 5, 2000
	53.	D449,097 S	Oct. 9, 2001	Smith et al.	D23	364	May 1, 2000
	54.	6,302,944 B1	Oct. 16, 2001	Hoenig	96	16	Apr. 18, 2000
	55.	D449,679 S	Oct. 23, 2001	Smith et al.	D23	365	May 1, 2000
	56.	6,309,514 B1	Oct. 30, 2001	Conrad et al.	204	164	Nov. 7, 1994
	57.	6,312,507 B1	Nov. 6, 2001	Taylor et al.	96	19	Feb. 12, 1999
	58.	6,315,821 B1	Nov. 13, 2001	Pillion et al.	96	416	Jan. 11, 2001
	59.	6,328,791 B1	Dec. 11, 2001	Pillion et al.	96	418	May 3, 2000
	60.	6,350,417 B1	Feb. 26, 2002	Lau et al.	422	186.04	May 4, 2000
	61.	6,372,097 B1	Apr. 16, 2002	Chen	204	176	Apr. 14, 2000
	62.	6,379,427 B1	Apr. 30, 2002	Siess	95	57	Dec. 6, 1999
	63.	6,391,259 B1	May 21, 2002	Malkin et al.	422	28	Jun. 26, 1997

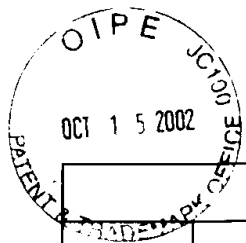
PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No	
	64.	09/197,131	Nov. 20, 1998	Taylor et al.		X
	65.	09/669,253	Sep. 25, 2000	Taylor et al.		X
	66.	09/669,268	Sep. 25, 2000	Taylor et al.		X
	67.	09/730,499	Dec. 5, 2000	Taylor et al.		X
	68.	09/742,814	Dec. 19, 2000	Taylor et al.		X
	69.	09/774,198	Jan. 29, 2001	Taylor		X
	70.	60/306,479	July 18, 2001	Taylor		X



PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge?	
					Yes	No
	71.	09/924,624	Aug. 8, 2001	Taylor et al.		X
	72.	09/924,600	Aug. 8, 2001	Taylor et al.		X
	73.	60/341,179	Dec. 13, 2001	Taylor et al.		X
	74.	60/340,702	Dec. 13, 2001	Taylor et al.		X
	75.	60/341,377	Dec. 13, 2001	Taylor et al.		X
	76.	60/341,518	Dec. 13, 2001	Taylor		X
	77.	60/340,288	Dec. 13, 2001	Taylor		X
	78.	60/341,176	Dec. 13, 2001	Taylor		X
	79.	60/340,462	Dec. 13, 2001	Taylor		X
	80.	60/341,090	Dec. 13, 2001	Taylor		X
	81.	60/341,433	Dec. 13, 2001	Taylor		X
	82.	60/341,592	Dec. 13, 2001	Taylor		X
	83.	60/341,320	Dec. 13, 2001	Taylor		X
	84.	10/023,197	Dec. 13, 2001	Taylor et al.		X
	85.	10/023,460	Dec. 13, 2001	Taylor et al.		X
	86.	10/074,209	Feb. 12, 2002	Taylor et al.		X
	87.	10/074,207	Feb. 12, 2002	Taylor et al.		X
	88.	10/074,208	Feb. 12, 2002	Taylor		X
	89.	10/074,339	Feb. 12, 2002	Taylor et al.		X
	90.	10/074,827	Feb. 12, 2002	McKinney, Jr., et al.		X
	91.	10/074,549	Feb. 12, 2002	Sinaiko et al.		X
	92.	10/074,103	Feb. 12, 2002	Sinaiko et al.		X
	93.	10/074,096	Feb. 12, 2002	Taylor et al.		X
	94.	10/074,347	Feb. 12, 2002	Taylor et al.		X
	95.	10/074,379	Feb. 12, 2002	Taylor et al.		X
	96.	10/156,158	May 28, 2002	Taylor et al.		X



PENDING U.S. PATENT APPLICATIONS

Examiner Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No
	97.	60/391,070	Jun. 6, 2002	Reeves	X
	98.	10/188,668	Jul. 2, 2002	Taylor et al.	X

FOREIGN PATENT DOCUMENTS

Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	99.	WO 01/47803 A1	Jul. 5, 2001	PCT			
	100.	WO 01/48781 A1	Jul. 5, 2001	PCT			
	101.	FR 2690509	Oct. 29, 1993	France			Abstract
	102.	JP 10137007	May 26, 1998	Japan			Abstract
	103.	JP 11104223	Apr. 20, 1999	Japan			Abstract
	104.	JP 2000236914	Sept. 5, 2000	Japan			Abstract

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

	105.	LENTEK Silā™ Plug-In Air Purifier/Deodorizer product box copyrighted 1999.
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Examiner

Date Considered

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20____, relied on under 35 USC §120.